

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

PUBLIC SERVICES – I&CAD Department – Rallapadu Reservoir Project – Extensive damages to the Reservoir bund due to cyclone on 01.11.1994 – Serious lapses and negligence of duty by Sri B. Brahmaiah, Assistant Engineer – Disciplinary proceedings – Punishment of removal from service on Sri B. Brahmaiah, Assistant Engineer - Modification of the punishment – Orders.

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IRRIGATION & CAD (VIG.III/A2) DEPARTMENT

G.O.MS.No. 2

Dated:06.01.2015.

Read the following:-

1. G.O.Ms.No.44, Irrigation & CAD (CADA.Ser.II.2) Department, Dated:03.04.2000.
2. From the Hon'ble A.P.A.T. orders Dated:17.08.2002 in O.A.No.2036/2000 filed by Sri B. Brahmaiah, Asst. Engineer.
3. From the Hon'ble High Court of A.P. orders, Dated: 06.03.2014 filed by Sri B. Brahmaiah, Asst. Engineer, (Died on 02.03.2003).
4. From Smt.B.Anasuya W/o Late B.Brahmaiah, AE, addressed to ENC (AW), Hyderabad, Dated:Nil.
5. From the ENC (AW), Lr.No.Rc/ENC/K4/14072445/2014, Dated:02.08.2014.

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ORDER:

In the G.O. 1st read above, orders were issued removing Sri B.Brahmaiah, Assistant Engineer from service for the serious lapses and negligence of duty by him during extensive damages to the Reservoir bund of Rallapadu Reservoir Project due to cyclone on 01.11.1994.

2. Aggrieved by the above said orders, Sri B.Brahmaiah, Assistant Engineer has filed O.A.No.2036/2000 and the Hon'ble A.P. Administrative Tribunal in their orders dated:17.08.2002 have confirmed the orders issued by the Government in the G.O. 1st read above and dismissed the O.A.

3. Aggrieved by the said orders of the Hon'ble AP Administrative Tribunal, Sri B.Brahmaiah, Assistant Engineer (Removed from service) has approached the Hon'ble High Court of A.P. and filed W.P.No.23837/2002. The Hon'ble High Court of A.P. in their orders dated:06.03.2014 have inter-alia ordered as follows:-

“When the charges levelled against petitioner No.1 and two other delinquent officers are almost same for the alleged misconduct, there should not be any discrimination with regard to the punishment. In view of the fact that petitioner No.1 is the person, who suppose to stay at Rallapadu Reservoir and monitor the situation of operating the generator, so that the flood water would not be averted in causing damage to the project. Therefore, in the facts and circumstances of the case, though it is not for this Court to impose punishment and it is the duty of Disciplinary Authority, due to long lapse of time, it is not desirable to remand

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the matter to the Disciplinary Authority for imposing punishment other than dismissal from service. Considering the fact that petitioner No.1 died, **we modify the punishment of dismissal to that of compulsory retirement** duly taking note of the facts and circumstances of the case.”

4. After careful examination of the entire matter, Government hereby decide to implement the orders of the Hon’ble High Court of A.P. in W.P.No.23837/2002 dated:06.03.2014 filed by Sri B.Brahmaiah, Assistant Engineer (Removed from service) and accordingly hereby modify the punishment of removal from service of Sri B.Brahmaiah, Assistant Engineer, who died on 02.06.2003, issued in the G.O. 1st read above to that of compulsory retirement from service, as per the above said orders of the Hon’ble High Court of A.P. in W.P. No.23837/2002.

5. The Chief Engineer (Projects), Irrigation, Ongole shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To

Smt.B. Anasuya, W/o Late B. Brahmaiah, Assistant Engineer,
D.No.22-1-56, Near Saibaba Temple, Kovur Road, Kandukuru-523105,
Kandukur Mandal, Prakasam district,
through the Chief Engineer (Projects), Irrigation, Ongole.

The Chief Engineer (Projects), Irrigation, Ongole.

The Accountant General, Andhra Pradesh, Hyderabad.

Copy to:

The Engineer-in-Chief (AW), I&CAD Department, Hyderabad.

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//FORWARDED: : BY ORDER//

SECTION OFFICER